

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

KHALID MOHAMMAD,

Plaintiff,

vs.

14cv170 RHS

ALLAN BANKS, Chief, Albuquerque Police Department;
RAMON RUSTIN, Chief, Metropolitan Detention Center;
GARY K. KING, Attorney General, State of New Mexico;

Defendants.

**ORDER GRANTING APPLICATION TO PROCEED IN FORMA PAUPERIS,
DIRECTING SERVICE FOR DEFENDANT BANKS AND DEFENDANT RUSTIN,
AND ORDERING PLAINTIFF TO SHOW CAUSE AS TO WHY
DEFENDANT KING SHOULD NOT BE DISMISSED**

THIS MATTER comes before the Court upon Plaintiff's Application to Proceed in District Court Without Prepaying Fees or Costs (Doc. 2). The Court, having considered the Application (Doc. 2), FINDS that the Application is well-taken and should be GRANTED in part.

IT IS HEREBY ORDERED that this action is authorized to proceed without the prepayment of the filing fee, costs, or security.

IT IS FURTHER ORDERED that the United States Marshal shall serve a copy of the Summons and Complaint on Defendant Banks and Defendant Rustin at the addresses provided by Plaintiff in his Complaint (Doc. 1).

IT IS FURTHER ORDERED that Plaintiff must show cause as to why Defendant King should not be dismissed from the suit. Plaintiff's Complaint (Doc. 1) does not allege facts against Defendant King. Within thirty (30) days from the date of this Order, Plaintiff must either voluntarily dismiss Defendant King or amend his Complaint to allege facts to support a suit

against Defendant King. If Plaintiff fails to do so within thirty days, the Court may dismiss Defendant King from the suit.

IT IS SO ORDERED.

Robert Hayes Scott
ROBERT HAYES SCOTT
UNITED STATES MAGISTRATE JUDGE